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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Third periodic reports of States parties

Addendum

PORTUGAL

* For the initial report submitted by the Government of Portugal, see CEDAW/C/5/Add.21, CEDAW/C/5/Add.21/Amend.1 and CEDAW/C/5/Add.21/Corr.1; for its consideration by the Committee, see CEDAW/C/SR.67, CEDAW/SR.68 and CEDAW/SR.73, and Official Records of the General Assembly, Forty-first Session, Supplement No. 45 (A/41/45), paras. 111-148; for the second periodic report submitted by the Government of Portugal, see CEDAW/C/13/Add.22.

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# THIRD REPORT OF PORTUGAL ON THE IMPLEMENTATION OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

## INTRODUCTION

1. To date Portugal has submitted two reports: the first was considered at the fifth session of the Committee in March 1986. The second was prepared in April 1989 and submitted in July 1989; it has not yet been considered by the Committee.

2. However, since 1990 is the year for submission of the third report of Portugal, we have prepared a document which complements and updates the second report and which may be considered by the Committee either as a third report or as an annex to the second, as judged more correct by the Committee from the formal point of view.

3. We shall thus refer directly to the second report submitted, following the same format step by step.

## PART I

### 1. Social, economic, political and legal framework

#### (a) General

#### (b) Integration into the European Community

4. In 1989 Portugal presented a report on the implementation by the Government of the Second Medium-Term Programme for Equality of Opportunity for Women 1986-1990. This programme covers seven areas: improved application of existing provisions; education and training; employment; new technologies; social protection and social security; sharing of family and professional responsibility; generating awareness - changing attitudes.

5. The programme envisages a series of specific actions in the above areas and we consider that it has had some influence on government policy regarding the adoption of measures relating to the employment and vocational training of women.

#### (c) National machinery

6. The activities and responsibilities of the Commission on the Status of Women have increased noticeably during recent years. Thus the present Government is now considering restructuring this body in order to enable it to contribute more effectively to the development of coherent policies for the promotion of the status of women, including the meaning of recommendation XXIII of the Conclusions of the thirty-fourth session of the United Nations Commission on the Status of Women.

#### (d) Means used

7. As a supplement to the information given in the second report, it is important to mention the permanent activities of the Commission:

- Collecting and updating of data;

- Opinions and reports;

- Information and research;

- Studies;

- Legal information office;

- Projects - participation in training activities;

- Relations with international bodies and with the national machineries in various countries;

- Relations with national bodies for employment, social security, education, immigration, justice etc.

8. The Commission is currently attempting to interest research bodies in "women's studies" and to launch a project on the role of women in the Discoveries in collaboration with the National Commission for the Celebration of the Portuguese Discoveries.

9. At the request of the Government, the Commission has prepared a "Global and Intersectoral Plan for Equality" as well as a package of legislative measures mainly in the fields of maternity, social security and violence against women.

2. First articles of the Convention

(a) Order 6/90, of 25 January, provides that women may apply, under the same conditions as men, to perform their military service in the Air Force establishment.

(b) The constitutional revision approved by parliament, under Law 1/89 of 8 July, left unaltered the constitutional rules governing equality of the sexes. Protection for maternity was strengthened: previously only maternity leave was guaranteed under the constitution, now protection during pregnancy is also a constitutional right.

## PART II

## Political rights
(articles 7, 8 and 9)

A. Present situation

10. The last elections to the Assembly of the Republic took place in 1987; out of 250 deputies 19 women were elected, representing 7.6 per cent of women.

11. Since then, as a result of the suspension of the functions of some deputies in order to assume governmental and other responsibilities, further women have entered the Assembly, increasing the percentage to 10.

12. With regard to the elections to the European Parliament, of the 24 Portugese members three are women, two of whom are members of the Commission on the Rights of Women and one is co-president of the Greens parliamentary group.

- The participation of women in successive Governments since 1974 has been at Secretary of State and Under-Secretary of State level in the fields of family, social security, health and culture, and also in traditionally masculine areas such as planning and regional development, finance and economy, administrative modernization and emigration. In the Government which has been in office since 1987, a women has been Minister of Health.

- The present Government has 53 posts, three occupied by women.

- The Civil Governors representing the Central Government in the provinces number 18, of whom two are women.

13. The Constitutional Court has, since July 1989, for the first time included a woman among its 13 members.

14. The participation of women in political parties ranges between 20 and 40 per cent.

15. The percentage of women in total trade union membership is 46 per cent in the UGT (democratic Confederation) and 30 per cent in the CGTP-IN (communist-oriented Confederation), and the percentage of active women members of the relevant governing bodies is 17 per cent in the trade unions affiliated to the CGTP-IN and 24 per cent in those of the UGT.

16. The socialist party approved in congress a quota of 25 per cent of women among the executive officers of the party and in the electoral lists.

B. Action taken in this area

17. Political participation is the area in which the status of women has evolved least. While participation of women in economic life has increased (since 1974 the activity ratio has risen from 34 per cent to 39 per cent), the political activity ratio remains at more or less the same level.

18. Despite changes in attitudes of men and women politicians, despite speeches by political leaders concerning the importance of women's participation, the fact is that the world of politics is a world of power and, as such, remains a masculine preserve.

19. Actions undertaken in this area are continuations of those mentioned in the second report. We may simply add that the heightening of awareness on the part of local elected representatives as regards questions of equality, which began in 1987 with a seminar of the Commission on the Status of Women in Lisbon, continued in 1989 with two further seminars, one in Porto and another in Coimbra.

20. This action will be intensified in 1991.

21. Within the Global and Intersectoral Plan for Equality mentioned earlier, several measures are envisaged in this area.

## PART III

### Economic and social rights
### (articles 10, 11, 12, 13 and 14)

### 1. Article 10 - education

#### A. Present situation

22. The data contained in the annex to the second report: "Portugal - Status of Women" related to the years 1985/86. Those presented here are for 1986/87.

23. The rate of participation of girls at various levels of education has generally increased, but has fallen slightly in areas where they were in the majority.

- In secondary education from 51.8 per cent to 52 per cent.

In the advanced level (10th and 11th years):

- Natural sciences, 54.3 per cent to 55 per cent;

- Science and technology, 10.7 per cent to 11.9 per cent;

- Visual arts, 47.1 per cent to 47.5 per cent;

- Economic and social studies, 53.8 per cent to 53.6 per cent;

- Humanities, 71.5 per cent to 69.2 per cent.

24. Of students who have taken their university degrees, girls represent 52.9 per cent of the total.

25. The percentage of women among teachers at various levels has developed as follows:

| | |
|---|---|
| - Kindergarten | 98.7 per cent |
| - Basic primary | 92.3 to 92.2 per cent |
| - Basic preparatory | 66.6 to 68.9 per cent |
| - Secondary | 46.6 to 62.4 per cent |
| - Intermediate | 67.1 to 64.8 per cent |
| - Higher | 27.4 to 31.0 per cent |

B. Action taken in this area

(1) It is in vocational training and employment that the Government has in the last year, through the Institute of Employment and Vocational Training attached to the Ministry of Labour and Social Security, taken a number of measures in the form of positive action. They will be listed in relation to article 11.

26. With regard to action taken by the Commission on the Status of Women, we can point out that a project not mentioned in the second report is about to be published; this is a study on:

- Education of girls in Portugal from the seventeenth century to the beginning of the twentieth century.

Another project in progress is:

- Attitude of girls and boys to technology (in collaboration with the Ministry of Education).

Publications: Activities for non-sexist teaching (first stage of the intermediate course).

Technical professions as professions of the future.

Guide to professional options.

2. Article 11 - employment

A. Present situation

27. The percentage of active women is being maintained. Thus, in the second report we indicated an increase from 40 per cent to 41.4 per cent and an employment ratio for women rising from 38.6 per cent to 39.3 per cent.

28. In 1988 the percentage of active women in the total active population was 41.5 per cent, the ratio of female employment was 38.7 per cent, and that of male employment was 55.3 per cent.

29. Sixty per cent of those unemployed continue to be women, the ratio of female unemployment being 10.2 per cent and that of male unemployment 5.1 per cent.

B. Action taken in this area

30. The Government has adopted a package of measures aimed at equality of opportunity, largely executed by the Institute of Employment and Vocational Training:

(a) Positive actions in favour of women in the form of preferential treatment through financial incentives to employers in cases of inclusion of women in vocational training grants, integration of women in traditionally masculine professions and also financial incentives to young women entering traditionally masculine professions.

31. Actions are also envisaged in support of women who create either their own employment or jobs for others in enterprises where they participate in management and also support for the establishment of enterprises in traditionally masculine sectors or in innovative sectors.

(b) Other measures taken indirectly favour equality of opportunity: financing of day nurseries, adaptation of training infrastructures to include women, and generating awareness on the subject of equality of opportunity using various material in collaboration with the Commission on the Status of Women.

(c) Since 1986 a network of officials responsible for equality of opportunity in the Institute of Employment and Vocational Training has been established at central and regional level.

(d) Preparation and execution of specific projects for training and employment of women.

(e) Co-operation with European networks for the vocational training of women and young people (collaboration with the Commission on the Status of Women and the Institute of Employment and Vocational Training).

(f) Women's Operational Programmes 1990-1993; two programmes, one for young people seeking their first job, the other for long-term unemployed women.

(g) The Commission for Equality in Work and Employment, attached to the Ministry of Labour and Social Security, has undertaken the following actions:

- Promotion of a study on sexual harassment in the workplace.

- Analysis of job advertisements and actions to generate awareness in favour of equality in this area.

- Analysis and advice on legal actions for discrimination.

(h) Seminar: "Employment of women and support structures for children" - organized by the women's NGOs of the Consultative Council of the Commission on the Status of Women - 2 and 3 June 1990.

C. New laws 1/

- Decree of the Autonomous Regional Government of Madeira on equality of treatment in work between men and women in the Government of Madeira. (Decree No. 11/89/M).

- Order 60/90 of 25 January: provides that women can apply, under the same conditions as men, to perform their military service in the Air Force establishment.

- Decree-Law 9/86 of 17 January: modifies the part-time work régime for civil servants with dependents, adopted children or children of the spouse aged less than 12 years or disabled persons irrespective of age.

- Decision of the Secretary of State for the Budget of 30 January 1987: female civil servants may be granted special leave to attend pre-natal courses.

- Decree-Law 107/87 of 6 March: extends to workers in the "Caixas de Previdencia" and "Casas do Povo" the legal régime governing protection of maternity and paternity.

- Decree-Law 154/88 of 29 April: new régime for protection of maternity, paternity, and adoption for beneficiaries under the General Régime governing Salaried Workers' Security.

- Order 83/89 of 14 July of the Secretary of State for Social Security: establishing new rules for the calculation of maternity allowances.

- Decree-Law 274/89 of 21 August: article 16 gives information on the risks of exposure to lead for the foetus and the breast-fed infant.

- Decree-Law 401/86 of 2 December with regulations promulgated on 30 December: introduces into national legislation, in the field of social security, the principles of Council Directive 86/613/EEC of 11/12/86 relating to the implementation of the principle of equality of treatment between men and women in self-employment, including farming, and to protection of maternity. (Concerns not only article 10 of the Convention but also article 14 (2) (c).)

- Regulation 112/89 of 28 December: defines the objectives, relating to vocational training and employment, for the 1990-1993 Operational Programmes some of which directly concern women and have been mentioned.

- Recommendation of the Under-Secretary of State for Administrative Modernization of 8 October 1988 on the participation of women in the administrative levels of the civil service.

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1/ Some are not new but are listed here because they did not appear in the previous reports.

3. Article 12 - health

Nothing to add to the second report.

4. Article 13 - economic and social life

Nothing to add to the second report.

5. Article 14 - rural women

A. Present situation

32. We have no updated material for the data appearing in the second report.

The status of women farm workers continues to be unsatisfactory. Thirty-two per cent are illiterate; the average wage is lower than that of men, by an amount ranging from 53.2 per cent to 84 per cent depending on the region.

B. Action taken in this area

33. The Association of Women Farm Workers has undertaken actions which have led to the legal recognition of the "Family Agricultural Enterprise".

C. New laws

34. Decree-Law 401/86, cited in connection with article 10 of the Convention, introduces into national legislation Directive 86/613/EEC.

- A new article on "Recognition of the Family Agricultural Enterprise" is added to Decree-Law 336/89 of 4 October on Group Agricultural Societies.

## PART IV
## (articles 15 and 16)

35. Nothing to add to the second report.

## FACTORS AND DIFFICULTIES AFFECTING THE DEGREE TO WHICH THE CONVENTION CAN BE IMPLEMENTED

36. These factors were set out in the earlier reports.

37. We stated that they were above all of an economic and cultural nature, but we are becoming increasingly aware that they are also political.

38. Slow but continuing changes can be detected in society, but it is in political participation, as we have seen, that the situation is improving least.

## CONCLUSIONS

39. We hope that in the years ahead the Global and Intersectoral Plan which we mentioned in the Introduction will be approved and implemented.

40. We also hope that the importance of the role of machinery for equality will be reinforced, as devices not only of a technical nature but also having a more significant political status.